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EXAMINER

DONLON, RYAN D

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/649,237	Applicant(s) JOHNSON ET AL.	
	Examiner RYAN D. DONLON	Art Unit 3695	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-9, 11-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 28 January 2010 has been entered.

Status of Claims

2. Claims 1-9, 11-15, and 17-20 are pending and have been examined.

Claim Rejections - 35 USC § 112 2nd Paragraph

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9, 11-15, and 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. With respect to claim 1, it is unclear what is intended by "and otherwise", it would appear as though the two clauses being joined by the term "and" are mutually exclusive and therefore should be simply "otherwise" or possibly "or otherwise".

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5. With respect to claim 1, this claim is rejected because it is unclear what is intended by the use of the term "new". For example, possible interpretations are new to the claim, new to the system, new fields or merely this field is simply entitled "new". It is similarly unclear what is intended by the term "current".

6. Claims 9 and 15 are rejected under the same rationale as claim 1 above.

7. Dependant claims not specifically rejected above are rejected by virtue of depending from a rejected claim.

8. With respect to claim 6 it is unclear how a "table controls an initial placement of the first key reference on the second table." because a table from a logical sense is merely data storage. For the purposes of compact prosecution the examiner will interpret this as a foreign key constraint as it is well known in the art of databases that the values of a foreign key in one row of a referencing column must occur in a single row in the referenced table, which would in a sense "control" the initial placement of a key reference. However such control is enforced by the database engine and not the table.

9. With respect to claim 7 is it unclear how a "second table controls each variable used to distinguish a first deductible variable from a second deductible variable." For the purposes of compact prosecution the examiner will interpret this as a foreign key constraint as it is well known in the art of databases that the values of a foreign key in one row of a referencing column must occur in a single row in the referenced table, which would in a sense "control" the initial placement of a key reference. However such control is enforced by the database engine and not the table.

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Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 1-7, 9, 11-15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lencki et al., US 2002/0049617 A1 (hereinafter Lencki) in view of Crus et al., Patent Number 5133068 (hereinafter Crus).

As per **claim 1**:

Lencki teaches method of managing deductibles for insurance policies, the method comprising:

Policy variables;

a default deductible and a new deductible;

comparing the default deductible with a current deductible to generate a result;

and determining a deductible amount for a related policy renewal based on the result of the comparing the default deductible with the current deductible, wherein if the default deductible is less than the current deductible, then using the current deductible to determine the deductible amount, and otherwise using the default deductible to determine the deductible amount (see at least paragraph [0118]).

Lencki does not, however Crus teaches:

A first and second key reference;

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providing a plurality of interrelated tables from a storage device to a microprocessor of a computer system (see figures 3 and 4);

providing a plurality of variables for each table to the microprocessor (see figures 3 and 4);

providing a first key reference in a first table to the microprocessor, the first key reference identifying a first specific group of the variables (see figure 4 "WORKDEPT");

matching the first key reference to a second table by the microprocessor, the first key reference identifying a second specific group of variables and a plurality of additional key references (see figure 3),

matching the plurality of additional key references to a plurality of respective additional tables by the microprocessor, the additional key references identifying a plurality of additional specific groups of variables (see at least figure 5);

accessing, by the microprocessor, the second table using the first key reference to retrieve a value (see at least figure 5);

12. While Lencki does not teach the database structure as claimed, Lencki does teach a database (see at least paragraph [0096]). It would have been obvious to one of ordinary skill in the art to modify the Lencki reference to leverage the use of a database as was well known to do in the art at the time of the invention for the obvious advantages gained by using a database. For example, ease of upsizing, ease of data manipulation, ease of archiving, etc. Further more automating the process of Lencki is obvious it is an old and well known method which is gain obvious and well known

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advantages such as ease of use and limiting mistakes by limiting options (see also MPEP 2144.04).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the Lencki teachings to include the automation and database structure of Crus to obtain the invention as specified in claim 1.

13. As per **claim 2**:

Lencki teaches the method as defined in **claim 1** further comprising:

providing a geographical variable (see figure 17c), a transaction variable (see at least paragraph [0292]) and an effective policy date variable (see at least paragraph [0222]).

14. Lencki does not teach these fields are in the first table. However it would have been obvious to include these fields in a first table because the result is merely a design choice and does not result in any unobvious improvements over the prior art.

15. As per **claim 3**:

Lencki teaches the method as defined in **claim 2** further comprising:

providing a first deductible variable and a second deductible variable (see at least paragraph [0118]).

16. Lencki does not teach these fields are in the second table. However it would have been obvious to include these fields in a second table because the result is merely a design choice and does not result in any unobvious improvements over the prior art.

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17. As per **claim 4**:

Lencki teaches the method as defined in **claim 3** further comprising:
providing variables distinguishing deductibles available to the policies (see at least paragraph [0118]).

18. Lencki does not teach these fields in one of the additional tables. However it would have been obvious to include these fields in one of the additional tables because the result is merely a design choice and does not result in any unobvious improvements over the prior art.

19. As per **claim 5**:

Lencki does not teach the method as defined in **claim 3** further comprising:
in another of the additional tables, providing variables identifying change from the default deductible to the current deductible.

20. However Official Notice is taken that it was old and well known at the time of the invention to log transactions in a database (such as the version of Microsoft SQL Server 7 specifically recited in Lencki reference, paragraph [0097]). The result is merely a consequence of design choice and does not result in any unobvious improvements over the prior art.

21. As per **claim 6**:

Lencki does not teach the method as defined in claim 1, wherein the first table controls an initial placement of the first key reference on the second table.

22. However Crus teaches the use of a foreign key (see figures 2, 3, 4, 5 and column 1 lines 26-49). It would have been obvious to use foreign keys because this ensures

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what is known as "referential integrity" and the improvements this provides, such as ensuring data integrity, are obvious and well known. The result is merely a consequence of design choice and does not result in any unobvious improvements over the prior art.

23. As per **claim 7**:

Lencki does not teach the method as defined in claim 1, wherein the second table controls each variable used to distinguish a first deductible variable from a second deductible variable.

24. However Crus teaches the use of a foreign key (see figures 2, 3, 4, 5 and column 1 lines 26-49). It would have been obvious to use foreign keys because this ensures what is known as "referential integrity" and the improvements this provides, such as ensuring data integrity, are obvious and well known. The result is merely a consequence of design choice and does not result in any unobvious improvements over the prior art.

25. As per **claim 9**:

A tangible computer-readable medium comprising computer-executable instructions for:

providing a plurality of interrelated tables including a first table, a second table, and a third table;

providing a plurality of policy variables in each table;

providing a first key reference in the first table for identifying a first specific group of the variables;

accessing the second table using the first key reference to retrieve a default deductible, wherein the second table includes an available deductible key reference and a new deductible key reference;

comparing the default deductible with a current deductible to generate a result; and determining a deductible amount for a related policy renewal based on the result of the comparing the default deductible with the current deductible, wherein if the default deductible is less than the current deductible, then using the current deductible to determine the deductible amount, and otherwise using the default deductible to determine the deductible amount, wherein the variables in the first table include a geographical variable, a transaction variable and an effective policy date variable;

wherein the variables in the second table include first deductible variables and second deductible variables;

and wherein the variables in the third table distinguishes deductibles available to the policies.

26. This claim is rejected under the same rationale as claim 4 above.

27. As per **claim 11**:

The computer-readable medium as defined in claim 9, wherein the first key reference identifies a first specific group of variables.

28. This claim is rejected under the same rationale as claim 9 above.

29. As per **claim 12**:

The computer-readable medium as defined in claim 11, wherein the first key reference is matched to the second table.

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30. This claim is rejected under the same rationale as claim 9 above.

31. As per **claim 13**:

The computer-readable medium as identified in claim 12, wherein the first key reference identifies a second specific group of variables and a plurality of additional key references.

32. This claim is rejected under the same rationale as claim 9 above.

33. As per **claim 14**:

The computer-readable medium as identified in claim 13, wherein the plurality of additional key references are matched to a plurality of respective additional tables.

34. This claim is rejected under the same rationale as claim 4 above.

35. As per **claim 15**:

An information handling system for managing deductibles for insurance policies comprising:

a storage device storing a program;

a processor coupled to the storage device and operative with the program for processing data in a plurality of interrelated tables;

a plurality of policy variables in each table;

the variables in a first table including a geographical variable, a transaction variable, an effective policy date variable, and a first key reference;

the variables in a second table including first deductible variables and second deductible variables being accessed using the first key reference, wherein the second table includes an available deductible key reference and a new deductible key

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reference, and wherein the deductible variables determine a deductible amount for a related policy renewal based on a comparison of the a default deductible with a current deductible, wherein if the default deductible is less than the current deductible as determined by the comparison, then the deductible amount is based on the current deductible and otherwise then the deductible amount is based on the default deductible;

and the variables in a further table distinguishing deductibles available to the policies.

36. This claim is rejected under the same rationale as claim 4 above.

37. As per **claim 17**:

The system as defined in claim 15, wherein the first key reference identifies a first specific group of variables.

38. This claim is rejected under the same rationale as claim 4 above.

39. As per **claim 18**:

The system as defined in claim 17, wherein the first key reference is matched to the second table.

40. This claim is rejected under the same rationale as claim 4 above.

41. As per **claim 19**:

The system as identified in claim 18, wherein the first key reference identifies a second specific group of variables and a plurality of additional key references.

42. This claim is rejected under the same rationale as claim 4 above.

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43. As per **claim 20**:

The system as identified in claim 19, wherein the plurality of additional key references are matched to a plurality of respective additional tables.

44. This claim is rejected under the same rationale as claim 4 above.

45. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lencki in view of Crus and Harrell et al., US 2002/0156656 A1 (hereinafter Harrell).

46. As per **claim 8**:

Lencki does not disclose the method as defined in claim 7, wherein the additional tables respectively provide variables distinguishing deductibles available to the policies and identifying change from the default deductible to the current deductible.

47. However Harrell teaches tables provide variables distinguishing deductibles available to the policies (see at least paragraph [0134]). It would have been obvious to incorporate in the practice of choosing deductibles of Lencki, the practice of selecting the deductibles from Harrell because this would present only deductibles that apply according to specified information. Further because the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

48. Further Official Notice is taken that it was old and well known at the time of the invention to log transactions in a table in a database (such as the version of Microsoft SQL Server 7 specifically recited in Lencki reference, paragraph [0097]). The result is

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merely a consequence of design choice and does not result in any unobvious improvements over the prior art.

Response to Arguments

Applicant's arguments with respect to claims 1-9, 11-15, and 17-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN D. DONLON whose telephone number is (571)270-3602. The examiner can normally be reached on Monday through Friday 7:30am to 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Kyle can be reached on (571) 272-6746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. D. D./
Examiner, Art Unit 3695
March 11, 2010

/Narayanswamy Subramanian/
Primary Examiner, Art Unit 3695